

Remarks/Arguments

35 USC 101

The Applicant respectfully requests the Examiner to reconsider the rejection of Claims 16-18 under 35 USC 101. In accordance with MPEP 2181, the Applicant hereby invokes 35 USC 112, 6th paragraph, with regard to Claim 16. The Applicant submits that the three-prong analysis set forth in MPEP 2181 is fully met.

Claims 17 and 18 are dependent from Claim 16, and add further advantageous features. The Applicant submits that these subclaims are patentable as their parent Claim 16.

35 USC 103

The Applicant respectfully requests the Examiner to reconsider the rejection under 35 USC 103, because the two references relied upon by the Examiner are not available to be cited against the instant application.

Cited US Patent 7,046,998, to Verma et al, claims priority from a provisional application filed 21 June 2002. However, the instant application claims priority from a provisional application filed 6 June 2002, 15 days earlier. It is therefore clear that Verma et al '998 is not available to be cited against the instant application.

Cited US Patent 7,231,203, to Marcelli, was a filed as an international application on 5 March 2004, claiming priority from an Italian application filed 6 March 2003. The earliest date to which Marcelli is entitled to be used as prior art in USA is 5 March 2004. Since the instant application has an effective filing date of 27 May 2003, and claims priority from a provisional application filed on 6 June 2002, it is clear that Marcelli is not available to be cited as prior art against the instant application.

The Applicant has reviewed the cited published applications to Verma et al. and Shin et al., which have not been relied upon by the Examiner. The Applicant notes that neither of these references is available to be cited against the instant application, for the same reasons explained above.

The Applicant believes that, except for the fee for the extension, no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to Applicant's Deposit Account No. 07-0832.

The Applicant submits that this application is now in condition for allowance. A notice to that effect is respectfully solicited.

Respectfully submitted,
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